IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.696 OF 2002

Mr. Ramchandra T. Gandhi.....Petitioner

Versus

Mr. Tarun Sharda & Ors.....Respondents

Mr. O.S. Kutty with Mr. Shirish Lad i/b. V.S. Legal

Associates for petitioner

None for the Respondent Nos. 1 and 2.

Ms. N.V. Sanglikar, for Respondent NO.3.

CORAM : F.I. REBELLO & S.P. KUKDAY,JJ.

DATED : 12th Appril, **2005**

P.C.

. Rule. Heard forthwith. None present for the Respondent Nos. 1 and 2 though served and appearance has been put up.

2. The grievance of the petitioner is that the respondent Nos. 1 and 2 have enclosed common open space and respondent No..3 has illegally granted permission for the same. It is submitted that this could not be done.

3. Considering the above and the petition is of the year

2002 the petition is disposed of by issuing the following directions:-

(i) The petitioner within 15 days from today to formally address a representation to the Executive Engineer, Building Proposal, P & R. Ward.

(ii) On such representation being received and after getting the same the respondent No.3 to dispose of the same within 3 months thereafter.

(iii). Rule made absolute accordingly. No order as to costs.

(F.I. REBELLO, J.)

(S.P. KUKDAY, J.)